

UNITED STATES BANKRUPTCY COURT  
District of New Jersey

Caption in Compliance with D.N.J. LBR 9004-1(b)

Albert Russo  
Cn 4853  
Trenton, NJ 08650  
(609) 587-6888

In re:

Thomas M Ricchiuti  
Jennifer M Ricchiuti

Debtor(s)



Order Filed on January 26, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 17-14780 / CMG

Hearing Date: 01/03/2018

Judge: Christine M. Gravelle

Chapter: 13

AMENDED

**ORDER CONFIRMING MODIFIED CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**.

**DATED: January 26, 2018**

Honorable Christine M. Gravelle  
United States Bankruptcy Judge

The modified plan of the debtor having been proposed to creditors, and a hearing having been held on the confirmation of such modified plan, and it appearing that the applicable provisions of the Bankruptcy Code have been complied with; and for good cause shown, it is

**ORDERED** that the modified plan of the above named debtor, dated 11/27/2017, or the last amende plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor.

**ORDERED** that the plan of the debtor is confirmed to pay the Standing Trustee for a period of 42 months.

**ORDERED** that the debtor shall pay the Standing Trustee, Albert Russo, based upon the following schedule, which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586:

\$1,242.00 Paid to Date (9 mo)  
\$302.00 for 33 months beginning 01/01/2018

**ORDERED** that the case is confirmed with a calculated plan funding of \$11,208.00. General unsecured creditors are scheduled to receive a pro-rata dividend of funds available.

**ORDERED** that the Standing Trustee shall be authorized to submit, ex parte, an Amende Confirming Order, if required, subsequent to the passage of the claims bar date(s) provided under Fed. R. Bank. P. 3002.

**ORDERED** that the debtor's attorney be and hereby is allowed a fee pursuant to the filed 2016(b) Statement. Any unpaid balance of the allowed fee shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee.

**ORDERED** that if the debtor should fail to make plan payments or fail to comply with other plan provisions for a period of more than 30 days, the Standing Trustee may file, with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen (14) days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

**ORDERED** that to the extent Section 7 of the debtor's plan contains motions to avoid judicial liens under 11 U.S.C. § 522(f) and/or to avoid liens and reclassify claims in whole or in part, such motions are hereby granted, except as specified below:

NO EXCEPTIONS

**ORDERED** that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any lien discharged.

**ORDERED** that the Standing Trustee is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. § 1305(a).

**ORDERED** that creditor ALLY CAPITAL, PACER claim #8-1, received stay relief on 7/19/2017 on property located at 2014 DODGE 1500; no arrears are to be paid through the Chapter 13 Plan; creditor will be paid outside of the Chapter 13 Plan.

**Certificate of Notice Page 4 of 4**  
**United States Bankruptcy Court**  
**District of New Jersey**

In re:  
 Thomas M Ricchiuti  
 Jennifer M Ricchiuti  
 Debtors

Case No. 17-14780-CMG  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
 Form ID: pdf903

Page 1 of 1  
 Total Noticed: 2

Date Rcvd: Jan 26, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 28, 2018.

db +Thomas M Ricchiuti, 22 Manchester Avenue, Kayport, NJ 07735-1845  
 jdb +Jennifer M Ricchiuti, 222 4th Street, Hazlet, NJ 07734-2918

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 28, 2018

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 26, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
 Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com  
 Denise E. Carlon on behalf of Creditor Harley-Davidson Credit Corp dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com  
 John R. Morton, Jr. on behalf of Creditor Thrift Investment Corporation ecfmail@mortoncraig.com, mortoncraigecf@gmail.com  
 John R. Morton, Jr. on behalf of Creditor Ally Capital Serviced by Ally Servicing, LLC ecfmail@mortoncraig.com, mortoncraigecf@gmail.com  
 Patrick Moscatello on behalf of Debtor Thomas M Ricchiuti moscatellolaw1@gmail.com, moscatellolaw2@gmail.com;moscatellolaw2@comcast.net  
 Patrick Moscatello on behalf of Joint Debtor Jennifer M Ricchiuti moscatellolaw1@gmail.com, moscatellolaw2@gmail.com;moscatellolaw2@comcast.net  
 Sean M. O'Brien on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWHEQ REVOLVING HOME EQUITY LOAN TRUST, SERIES 2007-C sobrien@flwlaw.com  
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov  
 William M.E. Powers on behalf of Creditor New Penn Financial, LLC dba Shellpoint Mortgage Servicing ecf@powerskirk.com  
 William M.E. Powers, III on behalf of Creditor New Penn Financial, LLC dba Shellpoint Mortgage Servicing ecf@powerskirk.com

TOTAL: 11